

DAC #
[Signature]

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)	Docket Number (Optional)
--	--------------------------

First named inventor: WIGHTMAN, CRAIG L.

Application No.: 10/625,473

Art Unit:

Filed: JULY 23, 2003

Examiner:

Title: ATTACHMENT FOR A PLOW

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of SURCHARGE FOR LATE FILING OF OATH (identify type of reply):

- ☒ has been filed previously on SEPTEMBER 17, 2004.
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY

02/14/2005 MAHME1 0000063 10625473 750.00 0P
01 FC:2453

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Craig L. Wightman
Signature

2-9-05
Date

CRAIG L. WIGHTMAN
Typed or printed name

Registration Number, if applicable

1234 COUNTY HIGHWAY 23
Address

315.858.9649
Telephone Number

RICHFIELD SPRINGS, NEW YORK 13439
Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: (1.) PRIOR PETITION UNDER 37 CFR 1.137(A) W/ EXHIBITS; (2.) DISMISSAL LTR.

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

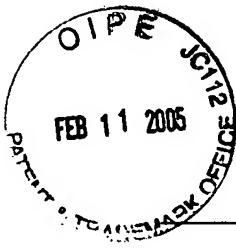
☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

2-9-05
Date

Craig L. Wightman
Signature

CRAIG L. WIGHTMAN
Typed or printed name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of Craig Wightman
Appl. Serial No.: 10/625,473

Filed: July 23, 2003

Title: ATTACHMENT FOR A PLOW

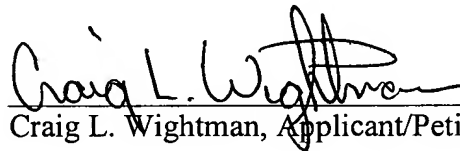
PETITION
Pursuant to 37 CFR §1.137(b)

1. I, Craig L. Wightman, am the applicant for patent in the above captioned matter. I respectfully petition to the United States Patent and Trademark Office, now pursuant to 37 CFR. §1.137(b), to revive my patent application as having been *unintentionally* abandoned for the reasons set forth below.
2. I am a sole inventor and pro se applicant before the USPTO. The present petition under 37 CFR §1.137(b) follows my previous petition under 37 CFR §1.137(a) which was dismissed on November 23, 2004 by Mr. Douglas I. Wood, Senior Petitions Attorney, Office of Petitions, USPTO. The petition under 37 CFR §1.137(a) and all supporting documentation and exhibits are enclosed in support of the present petition under 37 CFR §1.137(b).
3. I was neither timely informed nor properly informed of all the necessary steps I needed to take to prevent my application from becoming abandoned in the first instance, nor was I aware that the circumstances recited in my petition under 37 CFR §1.137(a) would not provide a sufficient showing of cause to the Commissioner of unavoidable delay. Additionally, because I am a layperson, a prudent amount of time was necessary to understand Mr. Wood's dismissal of my petition, and then to exercise a diligent response so as to avoid another unsuccessful petition. Accordingly, the entire delay in filing the present petition under 37 CFR §1.137(b) from when a reply was first due (including the delay in first being informed the application would become abandoned, the delay incurred by my first petition of May 21, 2004, and the delay incurred by my second petition under 37 CFR §1.137(a)), is entirely unintentional.
4. To date, I have paid the small entity application fee with surcharge via form PTO-2038 faxed to the USPTO on May 21, 2004. Additionally, Mr. Wood acknowledges receiving my declaration with surcharge executed on form PTO/SB/01 on September 17, 2004. It is now my understanding according to Mr. Wood's correspondence of November 23, 2004 (see page 3 of that correspondence) that all that is lacking to revive my abandoned application is

“...a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition pursuant to 37 CFR §1.137(a) was unavoidable...”

Accordingly, since Mr. Wood has determined that my circumstances do not rise to the level of “unavoidable”, I now petition herein pursuant to 37 CFR §1.137(b).

5. Therefore, I respectfully petition under 37 CFR §1.137(b) that revival of my patent application 10/625,473 be granted as my replies to the USPTO have been unintentionally delayed for all of the reasons set forth herein.
6. Lastly, pursuant to 37 CFR §1.137(b), I am enclosing a petition fee of \$750.00.


Craig L. Wightman, Applicant/Petitioner



UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov
Om 11:04

CRAIG WIGHTMAN
1234 COUNTY HIGHWAY 23
RICHFIELD SPRINGS NY 13439

COPY MAILED

NOV 23 2004

OFFICE OF PETITIONS

In re Application of
Craig Wightman
Application No. 10/625,473
Filed: 23 July, 2003
For: Attachment for a Plow

ON PETITION

This is a decision on the petition under 37 CFR 1.137(a),¹ to revive the above-identified application unavoidably abandoned, filed on 21 September, 2004.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(a)." Or, as explained herein, under 37 CFR 1.137(b). This is not a final agency decision.

¹A grantable petition under 37 CFR 1.137(a) must be accompanied by:

(1) the required reply, unless previously filed; In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In a nonprovisional utility or plant application filed on or after June 9, 1995, and abandoned for failure to prosecute, the required reply may also be met by the filing of a request for continued examination in compliance with § 1.114. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

(2) the petition fee as set forth in 37 CFR 1.171(f);

(3) a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(a) was unavoidable; and

(4) the fee as set forth in 37 CFR 1.204(d) required

(4) any term, condition, disclaimer, limitation, or other restriction on the use of the information contained herein shall be null and void insofar as it purports to limit the use of the information contained herein in violation of the provisions of the Freedom of Information Act, 5 U.S.C. 552, or any regulation promulgated pursuant to 37 C.F.R. 17.13(b)(1).

Application No. 10/625,473

2

This application became abandoned on 3 February, 2003, for failure to timely reply to the Notice to File Missing Parts of Nonprovisional Application mailed on 2 December, 2003, which set a two (2) month shortened period for reply. No extensions of the time for reply in accordance with 37 CFR 1.136(a) were obtained. The filing of the present petition precedes the mailing of Notice of Abandonment.

Petitioner, pro se, asserts that his registered patent attorney, Donald J. Perrault, informed him in May, 2004, that he would no longer represent JGB Enterprises (JGB), petitioner's business partner, due to nonpayment of legal fees. Petitioner asserts that Perrault informed him that the patent was in jeopardy of abandonment, but would not explain what action was needed to avoid abandonment because JGB, not petitioner, was his client.

Petitioner further states that he then contacted the Office of Initial Patent Examination (OIPE) and was instructed that the filing fee and surcharge for its late filing were due. On 24 March, 2004, petitioner filed the basic filing fee and surcharge and a petition to waive the extension of time fees. The petition was dismissed on 3 August, 2004, because the extendable time period had expired, and an extension was no longer possible. It was additionally noted that an executed oath or declaration was required.

On 21 September, 2004, the present petition was filed, accompanied by an executed declaration. Petitioner asserts unavoidable delay in that he was never informed that an oath or declaration was due.

A grantable petition under 37 CFR 1.137(a) must be accompanied by:

(1) the required reply, unless previously filed; In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

(2) the petition fee as set forth in 37 CFR 1.17(1);

(3) a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(a) was unavoidable; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR

Application No. 10/625,473

3

1.20(d)) required pursuant to 37 CFR 1.137(c)).

The petition lacks item (3).

With regard to item (3), the petition lacks the required showing of unavoidable delay under 37 CFR 1.137(a). Decisions on reviving abandoned applications on the basis of "unavoidable" delay have adopted the reasonably prudent person standard in determining if the delay was unavoidable:

The word 'unavoidable' . . . is applicable to ordinary human affairs, and requires no more or greater care or diligence than is generally used and observed by prudent and careful men in relation to their most important business. It permits them in the exercise of this care to rely upon the ordinary and trustworthy agencies of mail and telegraph, worthy and reliable employees, and such other means and instrumentalities as are usually employed in such important business. If unexpectedly, or through the unforeseen fault or imperfection of these agencies and instrumentalities, there occurs a failure, it may properly be said to be unavoidable, all other conditions of promptness in its rectification being present.²

At the outset, petitioner has not explained the relationship between petitioner and attorney Perrault. Petitioner may wish to send a letter, certified mail, return receipt requested, to attorney Perrault explaining that the Office is investigating the circumstances of the abandonment of this application, and requesting Perrault explain the nature of his agreement with petitioner, and to explain why he (Perrault) did not explain to petitioner, upon petitioner's inquiry, what reply was required to avoid abandonment of the application. A copy of this decision should accompany petitioner's request. Petitioner should request a reply within (1) month. Any reply should be submitted with a renewed petition. If no reply is received, petitioner should so state in any renewed petition.

²In re Mattulahn, 35 App. D.C. 497, 514-15 (1912) (quoting Ex parte Pratt, 1897, Dec. Comm'r Pat. 31, 32-33 (1887)); see also Winkler v. Ladd, 221 F. Supp. 550, 552, 138 USPQ 666, 167-68 (D.C. Cir. 1963), aff'd, 143 USPQ 172 (D.C. Cir. 1963); Ex parte Henrich, 1913 Dec. Comm'r Pat. 139, 141 (1913). In addition, decisions on revival are made on a "case-by-case" basis, taking all the facts and circumstances into account. Smith v. Mossinghoff, 471 F.2d 533, 538, 213 USPQ 970, 982 (D.C. Cir. 1972). Finally, a petition cannot be granted where a petitioner has failed to meet his or her burden of showing that the delay was "unavoidable." Haines v. Quigg, 673 F. Supp. 314,

of establishing the same, was _____
316-17, 5 USPQ2d 1120, 1131-32 (N.D. Ind. 1987).

Application No. 10/625,473

4

Further, while the extent of the relationship between petitioner and Perrault has not been explained, petitioner is also reminded that the Patent and Trademark Office is not the proper forum for resolving a dispute between petitioner and petitioner's representative.³ Moreover, the Patent and Trademark Office must rely on the actions or inactions of duly authorized and voluntarily chosen representatives of the applicant, and petitioner is bound by the consequences of those actions or inactions.⁴ Specifically, petitioner's delay caused by the mistakes or negligence of his voluntarily chosen representative does not constitute unavoidable delay within the meaning of 35 U.S.C. 133 or 37 CFR 1.137(a).⁵

With regards to OIPE's alleged failure to notify petitioner that the oath or declaration was missing and required, petitioner is not entitled to rely upon oral advice from the Office. A delay resulting from the lack of knowledge or improper application of the patent statute, rules of practice or the MPEP does not constitute an "unavoidable" delay.⁶ A delay caused by an applicant's lack of knowledge or improper application of the patent statute, rules of practice or the MPEP is not rendered "unavoidable" due to: (1) the applicant's reliance upon oral advice from Office employees; or (2) the Office's failure to advise the applicant of any deficiency in sufficient time to permit the applicant to take corrective action.⁷

While the showing of record is unfortunate, it does not rise to the level of unfortunate delay. As such, the petition must be dismissed.

³ Ray v. Lehman, 55 F.3d 606, 608-09, 34 USPQ2d 1786, 1787 (Fed. Cir. 1995).

⁴ Link v. Washash, 370 U.S. 626, 633-34 (1962); Huston v. Ladner, 973 F.2d 1564, 1567, 23 USPQ2d 1910, 1913 (Fed. Cir. 1992); see also Haines v. Quigg, 673 F. Supp. 314, 317, 5 USPQ2d 1130, 1132 (D.N. Ind. 1987).

⁵ Haines v. Quigg, 673 F. Supp. 314, 5 USPQ2d 1130 (D. Ind. 1987); Smith v. Diamond, 209 USPQ 1091 (D.D.C. 1981); Potter v. Dann, 201 USPQ 574 (D.D.C. 1978); Ex parte Murray, 1891 Dec. Comm'r Pat. 130, 131 (Comm'r Pat. 1891).

⁶ See Haines v. Quigg, 673 F. Supp. 314, 317, 5 USPQ2d 1130, 1132 (D.N. Ind. 1987); Vincent v. Mossinghoff, 230 USPQ 621, 624 (D.D.C. 1985); Smith v. Diamond, 209 USPQ 1091 (D.D.C. 1981); Potter v. Dann, 201 USPQ 574 (D.D.C. 1978); Ex parte Murray, 1891 Dec. Comm'r Pat. 130, 131 (1891).

⁷ See In re Sivertz, 227 USPQ 255, 256 (Comm'r Pat. 1985); see also In re Colombo, Inc., 33 USPQ2d 1530, 1532 (Comm'r Pat. 1994) (while the Office attempts to notify applicants of deficiencies in their responses in a manner permitting a timely correction, the Office has no obligation to notify parties of deficiencies in their

responses in a manner permitting a timely correction...

Application No. 10/625,473

5

ALTERNATIVE VENUE

Petitioner may wish to consider filing a renewed petition under 37 CFR 1.137(b),⁸ which now provides that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b).

The filing of a petition under the unintentional standard cannot be intentionally delayed and therefore should be filed promptly. A person seeking revival due to unintentional delay cannot make a statement that the delay was unintentional unless the entire delay, including the delay from the date it was discovered that the application was abandoned until the filing of the petition to revive under 37 CFR 1.137(b), was unintentional. A statement that the delay was unintentional is not appropriate if petitioner intentionally delayed the filing of a petition for revival under 37 CFR 1.137(b).

A copy of the form for filing a petition under 37 CFR 1.137(b) to revive an application unintentionally abandoned is enclosed herewith for petitioner's convenience.

Further correspondence with respect to this matter should be addressed as follows:

⁸Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In a nonprovisional utility or plant application filed on or after 8 June 1995, and abandoned for failure to prosecute, the required reply may also be met by the filing of a request for continued examination in compliance with § 1.114. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required

pursuant to 37 CFR 1.137(c).

Application No. 10/625,473

6

By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By FAX: (703)872-9306
Attn: Office of Petitions

By hand: U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, Mail Stop Petition
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3231.



Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

Enclosures: Form PTO/SB/64
Fee Schedule FY05
Privacy Act Notification Form

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number 10/625,473
Filing Date July 23, 2003
First Named Inventor Wightman, Craig L.
Examiner Name
Art Unit
Attorney Docket No.

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number
Deposit Account Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	65.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	55.00
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 120.00

SUBMITTED BY

Name (Print/Type) Craig L. Wightman
Signature *Craig L. Wightman*

Registration No. (Attorney/Agent)

(Complete if applicable)

Telephone 315.858.9649

Date 9-17-04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

First Named Inventor: Wightman, Craig L. Art Unit:

Application Number: 10/625,473

Examiner:

Filed: July 23, 2003

Title: ATTACHMENT FOR A PLOW

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☒ Small entity - fee \$ 55.00 (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of \$ 65.00
Surcharge - late filing of oath (identify the type of reply):

☐ has been filed previously on _____

☒ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been filed previously on _____

☐ is enclosed herewith.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)

☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d))) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63):

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Craig L. Wightman

Craig L. Wightman
Typed or printed name

1234 County Highway 23
Address

Richfield Springs, NY 13439
Address

Enclosure ☒ Fee Payment
☐ Reply
☐ Terminal Disclaimer Form
☒ Additional sheets containing statements establishing unavoidable delay
☐

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

Craig L. Wighton
Signature

Craig L. Wightman
Typed or printed name of person signing certificate

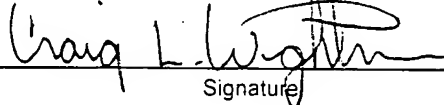
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

9-17-04

Date



Signature

Craig L. Wightman

Typed or printed name

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

Please see attached petition pursuant to 37 CFR 1.137(a)

(Please attach additional sheets if additional space is needed.)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of Craig Wightman
Appl. Serial No.: 10/625,473

Filed: July 23, 2003

Title: ATTACHMENT FOR A PLOW

PETITION

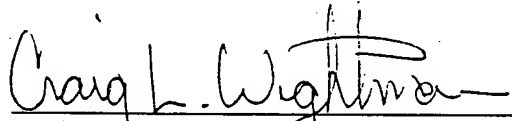
Pursuant to 37 CFR §1.137(a)

1. I, Craig L. Wightman, am the applicant for patent in the above captioned matter. I respectfully petition the United States Patent and Trademark Office under 37 CFR. §1.137(a) to revive my patent application as having been ***unavoidably*** abandoned for the reasons set forth below.
2. I am a sole inventor and pro se applicant before the USPTO. My application for patent was originally filed under the sponsorship of my then business partner, JGB Enterprises (hereinafter "JGB") located in Syracuse, New York. JGB retained Mr. Donald J. Perreault, Esq. of the law firm of Grossman, Tucker, Perreault & Pfleger, PLLC of Manchester, New Hampshire to prepare and file a patent application on my invention. My agreement with JGB was that they would pay all patent expenses associated with my invention in exchange for a 50% share of any profits that resulted from sales of the same. I was not given a copy of the patent application nor was I copied on any of the correspondences between JGB, Mr. Perreault and the USPTO.
3. On or about the beginning of May 2004 I inquired of Mr. Perreault as to the status of my patent application. Mr. Perreault informed me that JGB had not paid him for his legal services in preparing and filing the patent application and that he ceased all work on the patent application. Most importantly, Mr. Perreault informed me that patent application was in jeopardy of abandonment and that I had little time in which to act to prevent abandonment. He would not be more specific as to what actions I needed to take and stated that JGB was his client and I was not.
4. On May 14, 2004, I telephoned the USPTO Office of Initial Patent Examination to learn for the first time that on December 2, 2003, a notice was issued to the attorney of record, i.e., Mr. Perreault, that my patent application was "incomplete" and would not be examined. At this point I was neither told or made

aware by the Office of Initial Patent Examination of the fact that my patent application was in jeopardy of being abandoned. I was instructed only that the filing fee had not been paid; and that my patent application could be made "complete" by sending \$450.65 to the USPTO with a letter petition requesting acceptance of the filing fee with surcharge and waiver of the \$740.00 extension of time fee. According to my credit card statement the USPTO in fact did accept my \$450.65 payment.

5. On May 21, 2004 I faxed a PTO-2038 Credit Card Payment Form authorizing payment of the filing fee and surcharge (see exhibit "A"), a PTO/SB/97 Certificate of Transmission under 37 CFR 1.8 (see exhibit "B"), a PTO/SB/82 Revocation of Power of Attorney and Change of Correspondence Address (see exhibit "C") to insure all USPTO correspondences would now be directed to myself, and my petition via letter (see exhibit "D") requesting acceptance of the filing fee with surcharge and waiver of the \$740.00 extension of time fee. I received an Auto-Reply Facsimile Transmission on May 21, 2004 confirming that all of the above pages had been received by the USPTO (see exhibit "E"). At this point I believed that I had satisfied all the requirements of the Office of Initial Patent Examination so as to make my application "complete" and to prevent its abandonment. I therefore took no further action, acting in reliance that my application would now be in complete form for examination.
6. On or about August 9, 2004 I received a correspondence from Mr. Edward J. Tannouse, Petitions Attorney, USPTO stating that my aforementioned petition has been dismissed and that my patent application 10/625,473 was now abandoned (see exhibit "F"). Mr. Tannouse also references the Notice to File Missing Parts issued to the attorney of record, Mr. Perreault on December 3, 2003. Again, I never saw or had knowledge of this notice, making it impossible for me to reply to it in a timely manner. Mr. Tannouse further states that according to the Notice to File Missing Parts, "...the statutory basic filing fee and oath or declaration were missing..."
7. While your Office of Initial Patent Examination mentioned on May 14, 2004 that my filing fee was missing, they did not, however, inform me that my oath or declaration was missing. To date, I have never seen this Notice to File Missing Parts. I can likely conclude that my oath or declaration is also missing from my patent application. I would have promptly corrected this at the same time I faxed my credit card filing fee payment had only your Office of Initial Patent Examination instructed me to do so.
8. Therefore I respectfully petition herein that in view of (a.) my business partner's neglect of this patent application without my consent or knowledge, (b.) Mr. Perreault's constraints against full candor to me due to his attorney/client relationship with JGB, (c.) the USPTO Office of Initial Patent Examination's incomplete instructions to me regarding remedying my incomplete application and (d.) my very best, good faith timely efforts to remedy my incomplete

application that you now accept my filing fee and surcharge of \$450.65 already paid to you, my declaration of inventorship provided herein on form PTO/SB/01 and grant my petition under 37 CFR §1.137(a) to revive my patent application 10/625,473 as my replies to the USPTO having been truly unavoidably delayed for all of the reasons set forth herein.


Craig L. Wightman, Applicant/Petitioner

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration
Submitted
With Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number

First Named Inventor

Wightman, Craig L.

COMPLETE IF KNOWN

Application Number

10/625.473

Filing Date

July 23, 2003

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ATTACHMENT FOR A PLOW

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

07/23/2003

as United States Application Number or PCT International

Application Number

10/625.473

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

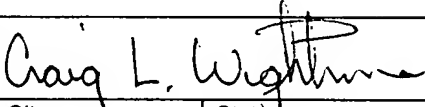
☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DECLARATION — Utility or Design Patent Application

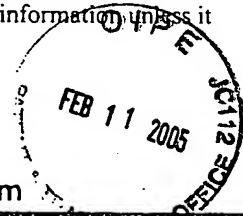
Direct all correspondence to: <input type="checkbox"/> Customer Number: OR <input checked="" type="checkbox"/> Correspondence address below			
Name CRAIG L. WIGHTMAN			
Address 1234 COUNTY HIGHWAY 23			
City RICHFIELD SPRINGS		State NEW YORK	ZIP 13439
Country UNITED STATES OF AMERICA	Telephone 315.858.9649	Fax 315.858.9649	
<small>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</small>			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) CRAIG		Family Name or Surname WIGHTMAN	
Inventor's Signature 			Date 9-16-04
Residence: City RICHFIELD SPRINGS	State NEW YORK	Country USA	Citizenship USA
Mailing Address 1234 COUNTY HIGHWAY 23			
City RICHFIELD SPRINGS	State NEW YORK	ZIP 13439	Country USA
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	ZIP	Country
<input type="checkbox"/> Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

United States Patent and Trademark Office

Credit Card Payment Form

Please Read Instructions before Completing this Form



Credit Card Information

Credit Card Type: ☒ Visa ☐ MasterCard ☐ American Express ☐ Discover

Credit Card Account # [REDACTED] 2704

Credit Card Expiration Date: 12/06

Name as it Appears on Credit Card: Craig L. Wightman

Payment Amount: \$ (US Dollars): \$450.65

Cardholder Signature: *Craig L. Wightman* Date: 5-21-04

Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The office will not refund amounts of \$25.00 or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR § 1.26). Refund of a fee paid by credit card will be issued as a credit to the credit card account to which the fee was charged.

Service Charge: There is a \$50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR § 1.21 (m)).

Credit Card Billing Address

Street Address 1: 1234 Co. Hwy. 23

Street Address 2:

City: Richfield Springs

State/Province: NY

Zip/Postal Code: 13439

Country: USA

Daytime Phone #: 315-858-9649; 315-868-5996 Cell

Fax #: 315-858-9649

Request and Payment Information

Description of Request and Payment Information:

☒ Patent Fee

☐ Patent Maintenance Fee

☐ Trademark Fee

☐ Other Fee

Application No.
10/625,473

Application No.

Application No.

IDON Customer No.

Patent No.

Patent No.

Registration No.

Attorney Docket No.

Identify or Describe Mark

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form, the United States Patent and Trademark Office will not be liable in the event that the credit card number becomes public knowledge.

EXHIBIT "A"

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on May 21, 2004
Date


Signature

Craig Wightman

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- 1 Facsimile Cover Sheet
- 2 Petition Letter requesting waiving of Extension fees and/or penalties
- 3 PTO/SB/82 (09-03) Revocation of Power of Attorney Form
- 4 PTO-2038 (02-2003) Credit Card Payment Form (Payment for Application Fee)
- 5 PTO/SB/97 (08-03) Certificate of Transmission under 37 CFR 1.8 Form

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EXHIBIT "B"

**REVOCATION OF POWER OF
ATTORNEY WITH
NEW POWER OF ATTORNEY
AND
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	10/625,473
Filing Date	
First Named Inventor	Wightman, Craig
Art Unit	
Examiner Name	
Attorney Docket Number	

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☐ I hereby appoint the practitioners associated with the Customer Number:

☒ Please change the correspondence address for the above-identified application to:

☐ The address associated with
Customer Number:

OR

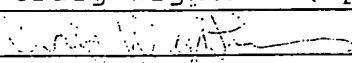
<input checked="" type="checkbox"/> Firm or Individual Name	Craig Wightman				
Address	1234 County Highway 23				
Address					
City	Richfield Springs	State	NY	Zip	13439
Country	United States				
Telephone	315.858.9649	Fax	315.858.9649		

I am the: 315.868.5996 cell

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Name	Craig Wightman (Applicant)		
Signature			
Date	4-16-04	Telephone	315.858.9649

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EXHIBIT "C"

May 20, 2004

In regards to: Patent Application # 10/625,473

Mail Stop Petition
Commissioner of Patents
P.O. Box 1450
Alexandria
VA 22313-9282
Phone: 703-305-9282

SUBJECT: PETITION TO WAIVE ADDITIONAL FEES

Dear Mail Stop Petition Officers,

When you look up the file on aforementioned patent application you will notice a fee assessed in the amount of approximately \$740.00 additional to the standard Small Entry Application Fee of \$450.65. I have been assessed this fee for circumstances completely out of my control.

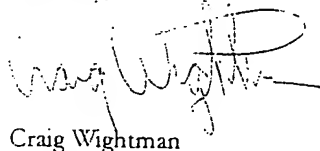
I only learned of this fee and the circumstances in which it was levied on Friday, May 14, 2004. It was on this day that I learned for the first time that a notice had gone out to the attorney of record on December 2, 2003 stating that the application was receiving an incomplete status due to the fact that the application fee was not paid in full and that a deadline for payment had been issued for February 2, 2004.

Due to the fact that I was never made aware of these circumstances and that my patent application was in danger of being deemed abandoned, the attorney of record has been dismissed. You will find accompanying this petition a copy of the REVOCATION OF POWER OF ATTORNEY form that was faxed to USPTO Applications Office on Monday, May 17, 2004 also in which the original was mailed via USPS to the very address listed at the top of this page on the same day.

Please find it in your hearts to waive the extra \$740.00 in additional fees and/or penalties. I feel strongly that I am not deserving of this penalty. Had I been aware of the status of this patent application I would have made timely payment and there would never have been a reason to assess these additional fees.

Thank you kindly for your consideration.

Sincerely,



Craig Wightman

1234 CO. HWY. 23
RICHFIELD SPRINGS
NY 13439

EXHIBIT "D"

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 3158539649

Fax Information

Date Received:

5/21/2004 12:15:59 PM (Eastern Daylight Time)

Total Pages:

5 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPE) section 306 et seq.

Received
Cover
Page
=====>

05/21/2004 12:15 3158539649 Auto-Reply		Page 1/5	
PTO US May 21 Karlson Lorne Phone: 315-853-9649 Fax: 315-853-9649		Facsimile Cover Sheet	
Fax			
To:	USPTO Office of Trademark	From:	Greg L. Johnson
Fax:	703-872-6306	Date:	May 21, 2004
Phone:	703-306-0262	Pages:	5 including this cover sheet
Re:	Patent Application 16/525 473	CC:	
<input type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle			
Comments			
Enclosures included:			
1. This facsimile cover sheet			
2. Priority Letter requesting waiver of examination fees and/or, where			
3. PTO/SB-52 (W-40) Revocation of Power of Attorney Form			
4. PTO 2036 (P-2-2004) Credit Card Payment Form (Payment for Application Fee)			
5. PTO/SB-67 (W-40) Certificate of Transmission under 37 CFR 1.8 Form			
PAGE 151 RVDAT 521204 121559 PATENT AND TRADEMARK OFFICE USPTO FAX-01 045 1723061 CDDP 3585531-DATA/04 MAY 21 2004			

EXHIBIT "E"



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

CRAIG WIGHTMAN
1234 COUNTY HIGHWAY 23
RICHFIELD SPRINGS, NY 13439

COPY MAILED

AUG 03 2004

OFFICE OF PETITIONS

In re Application of
Craig Wightman
Application No. 10/625,473
Filed: July 23, 2003
Title: ATTACHMENT FOR A PLOW

ON PETITION

This is in response to the papers styled, "Petition To Waive Additional Fees," filed May 21, 2004. The papers were recently forwarded to this office for review.

The petition is dismissed.

The above-identified application was filed on July 23, 2003. However, on December 2, 2003, the Office of Initial Patent Examination mailed a "Notice To File Missing Parts," (Notice) that stated a filing date was granted, but the statutory basic filing fee and oath or declaration were missing. The Notice also required the submission of a \$65.00 surcharge for the late submission of the filing fee and oath or declaration.

Petitioner requests the waiver of "the extra \$740.00 in additional fees and/or penalties." It appears that Petitioner requests waiver of the fees associated with a request for an extension of time under 37 CFR 1.136(a), as \$740.00 is the fee required to file a request for an extension of time within the fourth month (when then instant petition was filed). However, it is noted that the maximum extendable period of time under 37 CFR 1.136(a) ended at midnight on July 2, 2004. The filing of a request for an extension of time is no longer possible and this application is considered abandoned. As such, this petition must be dismissed as moot.

Please note, information for filing a petition under 37 CFR 1.137(a) or (b) to revive the abandoned application, and information for filing a petition under 37 CFR 1.181 to withdraw the holding of abandonment, shall be sent to petitioner under separate cover.

EXHIBIT "F"
PAGE 1 of 2

Telephone inquiries should be directed to the undersigned at
(703) 306-9200.

A handwritten signature in dark ink, appearing to read 'Ed T', followed by a horizontal line.

Edward J. Tannouse
Petitions Attorney
Office of Petitions
United States Patent and Trademark Office

EXHIBIT "F"
PAGE 2 of 2


CRAIG L. WIGHTMAN
ROBIN L. WIGHTMAN
1234 CO. HWY. 23 PH. 315-858-9649
RICHFIELD SPRINGS, NY 13439

50-557/213
1111128957

3041

DATE 9-17-04

PAY TO THE ORDER OF DIRECTOR OF THE U.S. PATENT + TRADEMARK OFFICE \$ 120.00

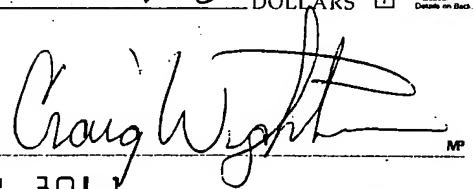
ONE HUNDRED TWENTY ———— 00 DOLLARS  Security features included. Details on Back.



CENTRAL
NATIONAL BANK
CNB

MEMO

U.S. PATENT APL- 10/625473

Craig Wightman 

⑆02⑆305577⑆ ⑈1111128957⑈ 3041

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- ☐ **SKEWED/SLANTED IMAGES**
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- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

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